

*For Office Use Only*  
*Executive Office of Environmental Affairs*

EOEA No.: **14254**  
 MEPA Analyst: **Deirdre Buckley**  
 Phone: 617-626- **1044**

# ENF Environmental Notification Form

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

<b>Project Name: Modern Theatre Project</b>		
<b>Street: 523-525 Washington Street</b>		
<b>Municipality: Boston</b>	<b>Watershed: Charles</b>	
<b>Universal Transverse Mercator Coordinates: UTM 19, 46 90 929 N, 3 30 127 E</b>	<b>Latitude: 42° 21' 14" N Longitude: 71 ° 03' 44" W</b>	
<b>Estimated commencement date: 11/2008</b>	<b>Estimated completion date: 05/2009</b>	
<b>Approximate cost: \$42,000,000</b>	<b>Status of project design: 50% complete</b>	
<b>Proponent: Suffolk University</b>		
<b>Street: 8 Ashburton Place</b>		
<b>Municipality: Boston</b>	<b>State: MA</b>	<b>Zip Code: 02108</b>
<b>Name of Contact Person From Whom Copies of this ENF May Be Obtained: Darlene Wynne, AICP</b>		
<b>Firm/Agency: Vanasse Hangen Brustlin, Inc</b>	<b>Street: 101 Walnut Street</b>	
<b>Municipality: Watertown</b>	<b>State: MA</b>	<b>Zip Code: 02472</b>
<b>Phone: 617-924-1770 x1135</b>	<b>Fax: 617-924-2286</b>	<b>E-mail: dwynne@vhb.com</b>

- Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?  
 Yes  No
- Has this project been filed with MEPA before?  
 Yes (EOEA No. \_\_\_\_\_)  No
- Has any project on this site been filed with MEPA before?  
 Yes (EOEA No. \_\_\_\_\_)  No
- Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:
- a Single EIR? (see 301 CMR 11.06(8))  Yes  No
  - a Special Review Procedure? (see 301 CMR 11.09)  Yes  No
  - a Waiver of mandatory EIR? (see 301 CMR 11.11)  Yes  No
  - a Phase I Waiver? (see 301 CMR 11.11)  Yes  No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres): The Project proponent plans to seek Commonwealth funding from the Massachusetts Health and Educational Facilities Authority (HEFA). Additionally, the project involves a land transfer to Suffolk by the BRA, which is an urban renewal agency under Chapter 121B.

Are you requesting coordinated review with any other federal, state, regional, or local agency?  
 Yes (Specify \_\_\_\_\_)  No

List Local or Federal Permits and Approvals:

**Federal:** None

**Local:** Article 80D IMP Project Approval, Article 80B Large Project Review, Article 37, Developer Designation (BRA): Article 80D IMP Project Approval (Zoning Commission); Schematic Design Review (BCDC); Water and

Sewer Connection Permits (BWSC); Historic resource review (BLC); Transportation Access Plan Agreement, Construction Management Plan (BTD); Street opening/occupancy permit review (PIC); Dormitory License (Licensing Board)

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):  
**301 CMR 11.03 (10)(b)**

- |                                 |                                       |   |
|---------------------------------|---------------------------------------|---|
| <input type="checkbox"/> Land   | <input type="checkbox"/> Rare Species | <input type="checkbox"/> Wetlands, Waterways, & Tidelands                 |
| <input type="checkbox"/> Water  | <input type="checkbox"/> Wastewater   | <input type="checkbox"/> Transportation                                   |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Air          | <input type="checkbox"/> Solid & Hazardous Waste                          |
| <input type="checkbox"/> ACEC   | <input type="checkbox"/> Regulations  | <input checked="" type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
<b>LAND</b>				<input type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/Extension Permit <input checked="" type="checkbox"/> Other Permits <i>(including Legislative Approvals) – Specify:</i>
Total site acreage	0.11			
New acres of land altered		0		
Acres of impervious area	0.11	0	0.11	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		0		
Acres of new non-water dependent use of tidelands or waterways		0		
<b>STRUCTURES</b>				
Gross square footage	27,500	32,500	60,000	
Number of housing units	0	199	199	
Maximum height (in feet) <sup>1</sup>	81	48	129	
<b>TRANSPORTATION</b>				
Vehicle trips per day	0 <sup>2</sup>	160 <sup>4</sup>	160 <sup>4</sup>	
Parking spaces	0	0	0	
<b>WATER/WASTEWATER</b>				
Gallons/day (GPD) of water use	0 <sup>2</sup>	14,975	14,975	
GPD water withdrawal	0	0	0	
GPD wastewater generation/treatment	0 <sup>2</sup>	13,615	13,615	
Length of water/sewer mains (in miles)	0 <sup>2,3</sup>	0 <sup>3</sup>	0 <sup>3</sup>	

**MHC State Register review**

NOTES:  
 1 Measured to the top of roof.  
 2 Existing condition is considered to be the currently vacant state of the building.  
 3 Rounded  
 4 There is no parking on the Site; therefore all trips are drop-off and pick-up. The arrival and departure trips for each delivery, pick-up, and drop-off have been factored into the estimation of vehicle trips per day.

**CONSERVATION LAND:** Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

Yes (Specify \_\_\_\_\_)  No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction,

or watershed preservation restriction?

Yes (Specify \_\_\_\_\_ )  No

**RARE SPECIES:** Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

Yes (Specify \_\_\_\_\_ )  No

**HISTORICAL /ARCHAEOLOGICAL RESOURCES:** Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes (Specify: The Modern Theatre (MHC #BOS.2324) is a Boston Designated Landmark and is also a contributing resource within the Washington Street Theatre District, which is listed in the National Register of Historic Places.)  No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify: the Proponent intends to remove the majority of the Modern Theatre building and to remove and incorporate a rebuilt historic façade on Washington Street and the Harlem Place façade return.)  No

**AREAS OF CRITICAL ENVIRONMENTAL CONCERN:** Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify \_\_\_\_\_ )  No

**PROJECT DESCRIPTION:** The project description should include (a) a description of the project site, (b) a description of both on-site and off-site alternatives and the impacts associated with each alternative, and (c) potential on-site and off-site mitigation measures for each alternative (*You may attach one additional page, if necessary.*)

The Modern Theatre parcel (the "project site") is located at 523-525 Washington Street in downtown Boston within the Midtown Cultural District and the Central Business District Urban Renewal Area. The project site is approximately 4,762 square feet (SF) and includes the seven-story dilapidated Modern Theatre building which formerly contained a theater and office space. The project site is bounded to the north by the 10 West Street Residence Hall, owned by the Proponent Suffolk University ("Suffolk"), to the west and south by the Opera House and Harlem Place, and to the east by Washington Street. Harlem Place is a private way owned by Live Nation and will be used solely for egress. The Modern Theatre, a designated Boston landmark in the historic Washington Street Theatre District, has been vacant for nearly 20 years and is in a state of extreme disrepair. Currently owned by the Boston Redevelopment Authority ("BRA"), Suffolk was selected by the BRA as the designated developer of this parcel through a competitive Request for Proposals ("RFP") process.

The proposed Project, totaling approximately 60,000 SF, will include a new student residential facility to serve Suffolk students and a cultural center that includes a studio theater and gallery space. The Project would include restoration of the historic façade of the Modern Theatre along Washington Street and the return along Harlem Place and construction of a new 10-story residential addition. The completed project would be 12 stories in height with an FAR of 12.0. Ground floor uses would include cultural spaces comprised of a two-story, 3,000 SF studio theater seating ±185 and a 1,000 SF art gallery/display area and pre-function space. These cultural uses would be accessible by the Washington Street entrance and will be available for use by local non-profit organizations through arrangements with Suffolk. Upper floor uses would include residences for no more than 200 undergraduate students attending Suffolk University. The residential component will be integrated with and accessed only through the existing entrance to the 10 West Street Residence Hall on West Street. A basement contains support space for the theater and other mechanical space for the entire building. Consistent with its landmark designation status, the Boston Landmarks Study Report on the Modern Theatre, and ongoing meetings with the Boston Landmarks Commission ("BLC"), specified exterior features would be addressed in keeping with the BLC's requirements.

**Project Description (continued)**  
**Environmental Notification Form**  
**Modern Theatre Project**  
**Boston, Massachusetts**

Long-term development goals of the BRA have included revival of the Modern Theatre and the addition of needed performance space. Suffolk University supports these goals through implementation of this proposed redevelopment project. The University intends to use the cultural spaces for University-operated performances and exhibits. Suffolk will explore alternatives including time-share arrangements with non-profit organizations and rentals for individual events.

The impetus for the Modern Theatre Project is the renovation of the theater itself and this project could not occur on any other site. Suffolk's interest in the Modern Theatre property is the result of Suffolk's Institutional Master Plan ("IMP") review process with the City of Boston. As part of that process, the IMP Task Force subcommittee assigned to review the 10 West Street Residence Hall project and other neighborhood stakeholders requested that Suffolk University explore potential redevelopment options for the Modern Theatre. The University agreed to investigate feasibility of a project that would include ground floor cultural uses and retention of key aspects of the Washington Street historic façade.

Suffolk's proposal for the Modern Theatre presents an opportunity to achieve several goals of the University, the City of Boston, and neighborhood stakeholders. It will foster enhanced vitality in the surrounding neighborhood, preserve an historic landmark, create new cultural spaces and address City housing goals for colleges/universities in Boston. The City of Boston and the neighborhood strongly prefer the restoration of a theater at the project site. Given Suffolk's housing needs expressed in the IMP and the ability to connect this building to the 10 West Street Residence Hall immediately to the north, a residential addition was the only alternative explored for the project site. While the restoration offered by this Project is clearly a "win" for Suffolk University, the Project is also a "win" for the Downtown Crossing neighborhood.

The impacts associated with the proposed Project are minimal because the Project involves the restoration of a pre-existing use and building. The addition of up to 200 student beds will provide marginal increases in the demand for water and wastewater generation at the project site when compared to its previous historical use. The Project results in no additional stormwater impacts because the site is entirely impervious in its current condition. Transportation impacts are also expected to be minimal. The Project will result in negligible or zero increases in vehicular trip generation. Suffolk discourages its students from bringing cars and provides them no parking. Furthermore, the City of Boston will not issue residential parking permits to those listing University dormitories as their address. The project site is located in a dense neighborhood with excellent access to public transportation; therefore the most significant transportation impact will be the increase in pedestrian traffic. Pedestrian trip generation for the residence hall is expected to be approximately 63 trips.

The Proponent is targeting the USGBC's LEED® Silver Certification status for the Project and will comply with the City of Boston's Article 37, Green Building requirements. This effort includes significant energy and water conservation measures. Further mitigation includes the complete restoration of the historic Washington Street façade and the return down Harlem Place by dismantling the façade, recording the location of each piece, restoring each component off-site, and reinstalling the facade. This is a labor-intensive process at significant cost to the Proponent, but is essential to the success of the Project. Finally, Suffolk will continue to provide a substantial package of community benefits, including increased security, financial contributions to community organizations, educational opportunities and scholarships to residents of the City of Boston, as well as shared cultural experiences through the ground floor facilities, among many others.